

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Case No. 12-00151-01-CR-W-BP
)
)
ANDRE M. MILLER,)
)
)
Defendant.)

ORDER

On April 17, 2013, Magistrate Judge John T. Maughmer issued his Report and Recommendation, concluding that the Court should find Defendant Andre M. Miller is not currently suffering from a mental disease or defect preventing him from understanding the nature and consequences of the proceedings against him or from assisting in his defense. (Doc. 40.) Defendant underwent a forensic evaluation of his competency, which found that “[a]lthough there is evidence to indicate Mr. Miller suffers from an anxiety disorder, the signs and symptoms do not impair his present ability to understand the nature and consequences of the court proceedings against him, or his ability to properly assist counsel in his defense.” (Doc. 34, pp. 18-19.) Neither party objects to the Report and Recommendation. After conducting an independent review of Judge Maughmer’s Report, as well as the forensic evaluation, the Court adopts the Report as its Order.

IT IS SO ORDERED.

/s/ Beth Phillips
BETH PHILLIPS, JUDGE
UNITED STATES DISTRICT COURT

DATE: 5/6/2013